



12/21/2007

AMENDMENT TRANSMITTAL

PATENT

Application No.: 09/295,690
Filing Date: April 21, 1999
First Named Inventor Jerome A. Mouton Jr.
Examiner's Name: Fleurantin, Jean B.
Art Unit: 2162
Attorney Docket No.: 81862P122

An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
 Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
 Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
 Applicant(s) claim small entity status (37 CFR 1.27).

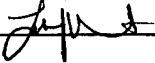
ATTACHMENTS

Preliminary Amendment
 Amendment/Response with respect to Office Action
 Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
 Notice of Appeal
 RCE (Request for Continued Examination)
 Supplemental Declaration
 Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
 Information Disclosure Statement (IDS)
 Copies of IDS citations
 Petition for Extension of Time
 Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
 Cross-Reference to Related Application(s)
 Certified Copy of Priority Document
 Other: _____
 Other: _____
 Check(s)
 Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TYPED OR PRINTED NAME: Lester J. Vincent

SIGNATURE: 

REG. NO.: 31,460

DATE: December 21, 2007

ADDRESS: 1279 Oakmead Parkway

Sunnyvale, California 94085-4040

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450
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Date of Deposit

Christopher P. Marshall

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12/21/2007

Date

Signature

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Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450



FEE TRANSMITTAL FOR FY 2008

Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known:

Application No. 09/295,690
 Filing Date April 21, 1999
 First Named Inventor Jerome A. Mouton Jr.
 Examiner Name Fleurantin, Jean B.
 Art Unit 2162
 Attorney Docket No. 81862P122

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify)

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.

Charge fee(s) indicated below except for the filing fee

Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Large Entity	Small Entity	Fee Description	Fees Paid (\$)		
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
1011	310	2011	155	Utility application filing fee	<u>1,030/515</u>
1111	510	2111	255	Utility search fee	_____
1311	210	2311	105	Utility examination fee	_____
1012	210	2012	105	Design application filing fee	<u>440/220</u>
1112	100	2112	50	Design search fee	_____
1312	130	2312	65	Design examination fee	_____
1013	210	2013	105	Plant filing fee	<u>680/340</u>
1113	310	2113	155	Plant search fee	_____
1313	160	2313	80	Plant examination fee	_____
1004	810	2004	405	Reissue filing fee	<u>1,940/970</u>
1114	510	2114	255	Reissue search fee	_____
1314	620	2314	310	Reissue examination fee	_____
1005	210	2005	105	Provisional application filing fee	_____
SUBTOTAL (1) <u>\$0.00</u>					

2. EXCESS CLAIM FEES**Fee Description**

<u>Large Entity</u>		<u>Small Entity</u>	
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
1202	50	2202	25
1201	210	2201	105
1203	370	2203	185
1204	210	2204	105
1205	50	2205	25

Fee Description

Each claim over 20
Each independent claim over 3
Multiple dependent claims, if not paid
Reissue: each claim over 20 and more than in the original patent
Reissue: each independent claim more than in the original patent

	<u>Extra Claims</u>	<u>Fee</u>	<u>Fees Paid (\$)</u>
Total Claims	<u>17</u> – 20 or 20 = <u>0</u>	X <u>\$ 50.00</u>	= <u>0.00</u>
HP = highest number of total claims paid for, if greater than 20			
Independent Claims	<u>4</u> – 3 or 4 = <u>0</u>	X <u>\$210.00</u>	= <u>0.00</u>
HP = highest number of independent claims paid for, if greater than 3			
Multiple Dependent Claims			
SUBTOTAL (2) <u>\$ 0.00</u>			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	– 100 = _____ / 50 = _____ (round up to whole number)	X <u>\$260.00</u>	_____	_____

Large Entity Small Entity

Fee	Fee	Fee	Fee	<u>Fee Description: Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):</u>
Code	(\$)	Code	(\$)	
1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fees Paid (\$)</u>
Fee Code	Fee (\$)	Fee Code (\$)	
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1813	8,800	1813	8,800 Request for inter parties reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	120	2251	60 Extension for reply within first month
1252	460	2252	230 Extension for reply within second month
1253	1,050	2253	525 Extension for reply within third month
1254	1,640	2254	820 Extension for reply within fourth month
1255	2,230	2255	1,115 Extension for reply within fifth month
1401	510	2401	255 Notice of Appeal
1402	510	2402	255 Filing a brief in support of an appeal
1403	1,030	2403	515 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	510	2452	255 Petition to revive - unavoidable
1453	1,540	2453	770 Petition to revive - unintentional
1501	1,440	2501	720 Utility issue fee (or reissue)
1502	820	2502	410 Design issue fee
1503	1,130	2503	565 Plant issue fee
1462	400	1462	400 Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463	200 Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464	130 Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	810	2809	405 For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814	65 Statutory Disclaimer
1810	810	2810	405 For each additional invention to be examined (see 37 CFR 1.129(b))
1801	810	2801	405 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
1504	300	1504	300 Publication fee for early, voluntary, or normal pub.
1505	300	1505	300 Publication fee for republication
1803	130	1803	130 Request for voluntary publication or republication
1808	130	1808	130 Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,410	1454	1,410 Acceptance of unintentionally delayed claim for priority

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (4) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Lester J. VincentSignature: Lester J. VincentDate: December 21, 2007Reg. Number: 31,460Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



DEC 27 2007

Attorney Docket No.81862.P122

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :

Jerome A. Mouton, Jr. et al.

Application No.: 09/295,690

Filed: April 21, 1999

For: Method and Apparatus for Upgrading
a Database in a Redundant Environment
by Release Chaining

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Examiner: Jean B. Fleurantin

Art Unit: 2162

Confirmation No: 7482

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.

on December 21, 2007
Date of Deposit

 Christopher P. Marshall
Name of Person Mailing Correspondence
Signature cp_marshall Date 12/21/2007

AMENDMENT

Sir:

In response to the Office Action dated September 21, 2007, applicants
respectfully request that the above-identified application be amended as follows and
that the following remarks be considered: